

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER BATCH,	)	Civil Action No. 2:11-cv-875
	)	
	)	
	)	
Plaintiff,	)	Judge Joy Flowers Conti
	)	Magistrate Judge Cynthia Reed Eddy
v.	)	
	)	
CONSTABLE ROBERT GEAGAN;	)	
BUTLER CITY POLICE DEPARTMENT;	)	
and POLICE OFFICER RENSEL,	)	
	)	
Defendants.	)	

**ORDER**

Following Plaintiff's filing a Second Amended Complaint [ECF No. 57] and a Supplement thereto [ECF No. 78], and Defendants Butler City Police Department and Police Officer Rensel having filed a Motion to Dismiss the Second Amended Complaint to be Treated as a Motion for Summary Judgment [ECF No. 70] and a Supplemental Motion to Dismiss the Second Amended Complaint to be Treated as a Motion for Summary Judgment [ECF No. 95], a Report and Recommendation [ECF No. 114] dated May 15, 2013, was filed recommending that these Defendants' Motions for Summary Judgment be granted in their entirety with prejudice. Plaintiff was directed to file any objections to the Report and Recommendation no later than fourteen days following the date of service of the Report and Recommendation. As of the date of this order, no objections have been filed.

Upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation which is adopted as the opinion of this Court, IT IS NOW, this 19th day of June 2013, ORDERED that the Defendants' Motions to Dismiss to be Treated as

Motions for Summary Judgment with respect to the Second Amended Complaint and the Supplemented Amended Complaint [ECF Nos. 70, 95] are GRANTED with prejudice as to all claims. The Clerk of Court is directed to mark this matter closed.

/s/ Joy Flowers Conti  
Joy Flowers Conti  
United States District Judge

cc: Counsel of Record via CM-ECF

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